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Docket No.: 10473-601

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

David Russell COBURN II, et al.

Serial No.: 09/781,236

Filed: February 13, 2001

For: COMMON PLATFORM FOR USE IN AUTOMOTIVE SERVICES

**INTERVIEW AGENDA**

Dear Sir:

Per Examiner's request, attached please find a supplemental interview agenda to discuss a telephone discussion on June 29, 2004. It is respectfully requested that the Examiner call Applicant's representative listed below to set up the interview.

WDC99 94G372-1.010473.0601

09/781,236

INTERVIEW AGENDA

1. All the pending claims (1-26) were rejected as being anticipated under US Patent No. 6,362,730 ("Razavi"). In rejecting the claims, the office action replicated the claim language and listed paragraphs from different portions of Razavi, and asserted that each claimed feature is not new in view of the listed paragraphs. However, no explanation and discussion were provided on which item in the listed paragraphs corresponds to which claimed element, and how each purportedly similar element interacts to perform the functions as described in the claims. The interview intends to obtain the examiner's explanations on the rationale and theory behind the rejection, such that the rejection can be properly addressed in Applicants' response.
2. In rejecting claim 11, the Office Action indicated that it was rejected on the same "rationale" as in claim 1, because claim 11 recites all limitations of claim 1. As pointed out in claim 1, it is not clear what the rationale is behind the rejection of claim 1. Furthermore, claim 11 includes various elements that are **unavailable** in claim 1, such as the steps of "determining the type of said equipment sensor; determining whether the application software stored in said memory matches the type of said equipment sensor; if said application software matches said equipment sensor, then executing said application software; if the application software does not match said equipment sensor, then downloading new application software corresponding to said equipment sensor into the memory." It is not clear how claim 11 was rejected on the same basis of claim 1.
3. In rejecting claim 17, the Office Action asserted that it was rejected on the same basis of claim 11, which, as discussed in item 2, in turn was purportedly rejected on the same basis of claim 1. However, claim 17 describes that the processor and host computer perform certain steps in turns, which is not available in claim 1 and 17. It is not clear why claim 17 was rejected on the same basis as claim 1 or claim 11.

Respectfully submitted,

MCDERMOTT, WILL &amp; EMERY



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Recognition under 37 CFR §10.9(b)

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